

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

INTELLECTUAL VENTURES I LLC and
INTELLECTUAL VENTURES II LLC,

CIVIL ACTION NO. 2:13-cv-00740-AJS

District Judge Arthur J. Schwab

Plaintiffs,

v.

THE PNC FINANCIAL SERVICES GROUP,
INC. and PNC BANK NA,

Electronically filed

Defendants.

**STIPULATION DISMISSING PLAINTIFF INTELLECTUAL VENTURES I LLC'S AND
INTELLECTUAL VENTURES II, LLC'S CLAIMS AND DEFENDANTS'
COUNTERCLAIMS AS TO U.S. PATENT NOS. 6,182,894 AND 7,757,298 ONLY**

Plaintiffs Intellectual Ventures I and Intellectual Ventures II LLC, by and through their undersigned counsel, and Defendants, The PNC Financial Services Group, Inc. and PNC Bank, N.A., by and through their undersigned counsel, file and agree to the following Stipulation Dismissing Plaintiff Intellectual Ventures I LLC's and Intellectual Ventures II, LLC's Claims and Defendants' Counterclaims as to U.S. Patent Nos. 6,182,894 and 7,757,298 only, as follows:

1. Plaintiff Intellectual Ventures II LLC agrees to dismiss its claim of infringement against Defendants, The PNC Financial Services Group, Inc. and PNC Bank, N.A., as to U.S. Patent No. 6,182,894 set forth in the Third Claim of Relief in Plaintiffs' Complaint (Court Document No. 1), with prejudice.

2. Defendants, The PNC Financial Services Group, Inc. and PNC Bank, N.A., agree to dismiss, without prejudice, their counterclaim of non-infringement against Plaintiff, Intellectual Ventures II LLC, set forth in Defendants' Answer, Defenses, and Counterclaims (Court Document No. 33) at Counterclaim Count V.

3. Defendants, The PNC Financial Services Group, Inc. and PNC Bank, N.A., agree to dismiss, without prejudice, their counterclaim of invalidity/unenforceability against Plaintiff Intellectual Ventures II LLC, set forth in Defendants' Answer, Defenses, and Counterclaims (Court Document No. 33) at Counterclaim Count VI.

4. Plaintiff Intellectual Ventures I agrees to dismiss its claim of infringement against Defendants, The PNC Financial Services Group, Inc. and PNC Bank, N.A., as to U.S. Patent No. 7,757,298 set forth in the Fifth Claim of Relief in Plaintiffs' Complaint (Court Document No. 1), with prejudice through the date of the entry of this dismissal and without prejudice thereafter.

5. Defendants, The PNC Financial Services Group, Inc. and PNC Bank, N.A., agree to dismiss, without prejudice, their counterclaim of non-infringement against Plaintiff, Intellectual Ventures I LLC, set forth in Defendants' Answer, Defenses, and Counterclaims (Court Document No. 33) at Counterclaim Count VII.

6. Defendants, The PNC Financial Services Group, Inc. and PNC Bank, N.A., agree to dismiss, without prejudice, their counterclaim of invalidity/unenforceability against Plaintiff Intellectual Ventures I LLC, set forth in Defendants' Answer, Defenses, and Counterclaims (Court Document No. 33) at Counterclaim Count X.

7. The pleadings filed by the respective parties are to be conformed to meet this stipulation.

8. Each party bears its own costs and attorneys' fees, unless this case is deemed an exceptional case pursuant to 35 U.S.C. § 285, in which case this stipulation will not act as a limitation on any award made pursuant to that provision. Stipulated and agreed to:

For: Plaintiffs, Intellectual Ventures I LLC and
Intellectual Ventures II LLC

For Defendants, PNC Financial Services
Group, Inc. and PNC Bank, N.A.

s/ Daniel E. Krauth

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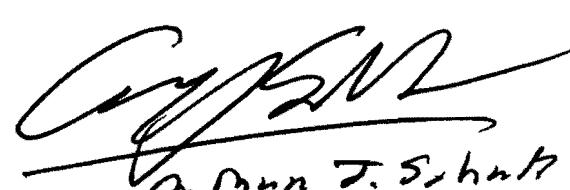
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So Ordered

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